

# United States Patent and Trademark Office



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION N
10/063,753	05/10/2002	Rick L. Pruter	02P1566	1568
24234 7.	7590 10/05/2004		EXAMINER	
SIMMONS, PERRINE, ALBRIGHT & ELLWOOD, P.L.C.			IMAM, ALI M	
THIRD FLOOR TOWER PLACE 22 SOUTH LINN STREET IOWA CITY, IA 52240		ART UNIT	PAPER NUMBER	
		3737		
			DATE MAILED: 10/05/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary    Application No.   Application(s)   Application(s)   Application(s)   Application(s)   Art Unit   Ail Imam   Art Unit   Art Unit   Ail Imam		r die Germanie de la company	<del></del>					
Examiner All Imam  — The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ③ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Estimation of time may be analysis under the provisions of 37 CFR 1.13(s), in no event, however, may a reply be limited by the state time time to explain under the provisions of 37 CFR 1.13(s), in no event, however, may a reply be limited time.  If the period for reply specified abover, he meantment statutory principal of the period of the communication is less than this (n) days, a reply whith the statutory minimum of thing (30) days will be considered time).  If the period for reply specified abover, he meantment statutory principal of the period of the communication of the period of the communication.  If the period for reply specified abover, he meantment statutory principal of the period of the period of the communication.  If the period for reply specified abover, he meantment statutory principal of the statutory principal of the period of the communication of the period of the communication of the period of the communication.  Any reply received by the Official of the statutory principal of the period of the communication of the period of the communication of the communication.  The period of the period of the communication of the period of the period of the communication of the period of the period of the communication of the period		Application No.	Applicant(s)					
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- The MAILING DATE of this communication appears on the cover sheet with the correspondence address - Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ③ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Edemicate for many be switched under the provisions of 37 CFR 1.13(e), in no event, however, may a reply be timely filled in the period for reply specified shows lis less than thinty (30) days, a reply within the satisfactor prior within the statisfactor prior within the satisfactor prior within the communication. Failure to reply within the satisfactor prior within the satisfactor prior within the communication of the communication of the communication. Failure to reply within the satisfactor prior within the communication of the communication. The satisfactor prior within the communication of the communication of the communication of the communication. The satisfactor prior within the communication of the communication of the communication.  Status  1) Responsive to communication (s) filled on \$\frac{51344}{4}\frac{Amendment}{4}\frac{Amendment}{4}\frac{1}{2}\fra	Oπice Action Summary	Examiner	Art Unit					
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions of time may be available under the provisions of 37 CFR 1-35(e). In no event, however, may a reply be timely field  Extensions of time may be available under the provisions of 37 CFR 1-35(e). In no event, however, may a reply be timely field  If the period for eply specified above, the maximum statutory period vill apply and vill expire 51% (5) MONTHS from the mailing date of this communication.  Failute to inspect you within the sort occaninate period for inspiration to mailing date of the communication, which is the communication of the communication, and the period of the communication, even it immely field. It may reduce any search plants term adjustment. See 37 CFR 1.704(e).  Status  1) Responsive to communication(s) filed on 5/13/4 (Amendment).  2a) This action is FINAL.  2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1-29 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5) Claim(s) 1-15 and 18 is/are rejected.  7) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Application Papers  9) The specification is objected to by the Examiner.  Application Papers  9) The proving specified of the priority documents have been received in Application or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) some c) None of:  1. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority do								
THE MAILING DATE OF THIS COMMUNICATION.  Extensions of time may be available under the provisions of 30°CPR 1.314(a). In no event, however, may a reply be timely filled after SX (5) MCNTHS from the mailing date of this communication of 30°CPR 1.314(a). In no event, however, may a reply be timely filled after SX (5) MCNTHS from the mailing date of this communication, each relation of the mailing date of the score and a state of the communication of the score and a state of the communication of the score and a state o		ears on the cover sheet with the c	orrespondence address					
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2a) ☐ This action is FINAL.  3 ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4 ☐ Claim(s) 1-20 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5 ☐ Claim(s) 16.17.19 and 20 is/are allowed.  6 ☐ Claim(s) 1-15 and 18 is/are rejected.  7 ☐ Claim(s) is/are objected to.  8 ☐ Claim(s) is/are objected to.  9 ☐ The specification is objected to by the Examiner.  4 ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☐ All b) ☐ Some * c) ☐ None of:  1. ☐ Certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  *See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1 ☐ Notice of Draftsperson's Patent Drawing Review (PTO-949)  3 ☐ Notice of Informal Patent Application (PTO-152)  **Notice of Informal Patent Application (PTO-152)	Status							
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a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  1 Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	Priority under 35 U.S.C. § 119							
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	2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	Paper No(s)/Mail Da 5)  Notice of Informal P	ite					

#### **DETAILED ACTION**

## Claim Rejections - 35 USC § 112

- 1. The following is a quotation of the first paragraph of 35 U.S.C. 112:
  - The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.
- 2. Claims 1-15 and 18 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. There is no explanation in the specification nor the disclosure supports for the added limitation "a closed opposing end".
- 3. Previous rejections under 35 USC 102 (b) and 35 USC 103(a) have been maintained. For detailed explanations please see previous office action pages 2-6.

## Allowable Subject Matter

4. Claims 16, 17, 19, and 20 are allowed.

### Conclusion

5. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Ali Imam whose telephone number is 703-305-0028. The

examiner can normally be reached on Mon. - Th., 8:00- 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor; Angela Sykes can be reached on 703-308-5181. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ali Imam

Primary Examiner

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